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 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION

17 UNITED STATES OF AMERICA,) No. CR 08-70325 RS
 18 Plaintiff,)
 19 v.)
 20 PABLO CESAR ESQUIVEL,) STIPULATION AND [PROPOSED]
 21 MIGUEL ALVAREZ-CASTENEDA, and) ORDER CONTINUING PRELIMINARY
 22 ROBERTO MATOS,) HEARING DATE AND WAIVING TIME
 23 Defendants.) SAN JOSE VENUE

24 The parties request and stipulate that the date for the preliminary hearing of defendant,
 25 Roberto Matos, be continued from Wednesday, June 18, 2008, at 11:00 a.m., to Wednesday, July
 26, 2008 at 11:00 a.m. The parties also request and stipulate that, pursuant to Federal Rule of
 27 Criminal Procedure (FRCP) 5.1(d), the time limits set forth in FRCP 5.1(c) be tolled and waived
 28 from June 18, 2008, to and including July 16, 2008. The parties agree that – taking into account
 the public interest in prompt disposition of criminal cases – good cause exists for this extension.

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31 STIP. AND PROP. ORDER RE: PRELIMINARY HEARING
 32 CR 08-70325 RS

Defendant also agrees to toll and to waive for this period of time any time limits applicable under Title 18, United States Code, Section 3161. Undersigned defense counsel represents that he has spoken with his client, Mr. Matos, and that Mr. Matos agrees to the continuance and to time be tolled and waived as requested.

IT IS SO STIPULATED.

DATED: June 12, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/

DATED: June 12, 2008

IT IS SO ORDERED.

DATED: June ___, 2008

RICHARD SEEBORG
United States Magistrate Judge

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